

# **HAZARDOUS SITES CLEANUP**

**Under the Act of October 18, 1988**

## **Settlement Under the Hazardous Sites Cleanup Act**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101--6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601--9675) has entered into a settlement relating to the cleanup of the Westmoreland Tubular Products HSCA site located at 6500 Beaver Dam Road, Levittown, Bucks County, PA (site). The settlement involves a proposed Consent Decree between the Department and Union Fence Company, Inc. (Union Fence), which is a potentially responsible party as an owner or operator of the site during a release of hazardous substances, as well as certain parties related to Union Fence.

Union Fence conducted fence fabricating operations at the site from the 1960's until December 2, 1986, when it sold the site to Westmoreland Tubular Products Manufacturing Company, Inc. (Westmoreland), which continued operations at the site. On July 14, 1992, based on inspections of the site which revealed the presence of barrels of hazardous substances, the Department determined that prompt action was required to protect the public health or safety or the environment. In a Statement of Decision (SOD) dated May 24, 1994, the Department chose an interim response action, which consisted of sampling and analyzing the contents of drums, overpacking the drums and disposing of the drums offsite to a hazardous waste treatment/disposal facility. The Department completed its interim response action on July 19, 1993.

Under the terms of the proposed Consent Decree, Union Fence will make an immediate payment of \$15,000 for response costs incurred by the Department in connection with the site. In addition, in the event that Union Fence collects any payments on its outstanding judgment against Westmoreland, Union Fence will pay the Department up to an additional \$56,000.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Department will provide for a 60-day public comment period on the proposed Consent Decree from the date of publication of this notice. The proposed Consent Decree may be examined from 8 a.m. to 4 p.m. at the Department's office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, by contacting Kevin Hess at (610) 832-6194 or Paul Rettinger at (610) 832-6300 during normal business hours. Persons may submit written comments to Kevin Hess at the above address. The Department will provide a response to all significant written comments received during the public comment period, and the proposed Consent Decree authorizes the Department to withhold or withdraw its consent in the event that the Department determines, based on comments received during the public comment period, that the Consent Decree is inappropriate, improper or not in the public interest.